

REMARKS

This Response is submitted in reply to the Non-final Office Action mailed July 27, 2005. Claims 14 to 25 and 33 to 42 were previously withdrawn. Claims 1, 5, 6, 26, 27 and 28 are amended. No new matter has been added. A two month petition for extension of time fee in the amount of \$450.00 is submitted herewith. Please charge any additional fees to Deposit Account No. 02-1818. Please reference number 112300-720 if such a withdrawal is made.

Information Disclosure Statement

The Examiner indicated that the information disclosure statements previously filed on March 4, 2005 and April 11, 2005 failed to comply with 37 CFR 1.98(a)(2). The intended reference was 2004/0201169 A1, which was submitted in a Supplemental Information Disclosure Statement on April 7, 2005.

Claim rejections under 35 U.S.C. §103(a)

The Office Action rejected Claims 1 to 13 and 26 to 32 under 35 U.S.C. §103(a) as being unpatentable over *Walker* (US Publication 2004/0204229) in view of *Schaefer* (US Publication 2004/0201169). In light of the amendments made herein, Applicants respectfully disagree with and traverse these rejections. Favorable reconsideration is respectfully requested.

Specifically, independent Claim 1 now recites "wherein said selections are pickable by a player in each play of a game until the player obtains a designated combination of said puzzle pieces in said play of the game" (emphasis added). Claim 26 now recites "enabling the player to pick one selection from a plurality of selections associated with said puzzle pieces *** in each play of the game until a designated combination of the puzzle pieces is obtained by the player" (emphasis added). For example, the gaming device may allow the player to make selections until a row and/or column of a puzzle is completed. In this example, once the row and/or column is completed, the gaming device changes to a mode that does not allow additional puzzle pieces to be selected by the player.

Neither *Walker* nor *Schaefer*, alone or in combination, teach this feature. The Office Action concedes that *Walker* does not teach this feature (See page 3). *Schaefer* is directed to a scratch-off lottery ticket, not an electronic gaming machine. A scratch-off lottery ticket cannot stop a player from selecting additional puzzle pieces after a designated combination of puzzle pieces has been selected. On every play of the lottery ticket game, the player may continue to scratch off additional pieces even after the designated combination of pieces is selected.

On occasion, a lottery ticket player may find the last piece in a winning combination at the same time he/she scratches off the last piece of the entire card (arguably "stopping" the player from selecting additional pieces after the winning combination is selected). However, the claims as presently presented recite "in each play of the game." In other words, the game of the present invention operates to prevent a player from selecting additional puzzle pieces after a designated combination is obtained even if unselected puzzle pieces still remain.

Because the prior art fails to teach or suggest the independent claims as currently amended, Applicant submits that all of the rejections under 35 U.S.C. §103(a) are improper and should be withdrawn. Reconsideration is respectfully requested.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

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